

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kevin Gordon)
Serial No.: 10/633,177) Group Art Unit: 1734
Filed: August 1, 2003) Examiner: Not Yet Assigned
For: Systems and Methods for Welding of Parts) Attorney Docket No.: STE-023.01

PETITION FOR RETROACTIVE FOREIGN FILING LICENSE
PURSUANT TO 37 C.F.R. §§ 5.14(a) AND 5.25

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 5.14(a) and 5.25, Applicant hereby petitions for a foreign filing license retroactive to April 30, 2003.

Pursuant to 37 C.F.R. § 5.25(a)(1)-(4), Applicant declares:

1. A foreign filing license was granted in the present application on October 29, 2003.
2. A first application directed to the invention of the present application was filed in Germany on April 30, 2003 and assigned German serial number 10319797.4.
3. A second application directed to the invention of the present application was filed in Germany on May 27, 2003 and assigned German serial number 10324094.2.
4. A third application directed to the invention of the present application was filed in Canada on August 19, 2003 and assigned Canadian serial number 2437647.

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5. A fourth application directed to the invention of the present application was filed in Mexico on September 25, 2003 and assigned Mexican serial number 2003/008724.

6. The subject matter of the present application was not under a secrecy order at the time the applications referred to in paragraphs 2 and 3 were filed in Germany.

7. The subject matter of the present application was not under a secrecy order at the time the application referred to in paragraph 4 was filed in Canada.

8. The subject matter of the present application was not under a secrecy order at the time the application referred to in paragraph 5 was filed in Mexico.

9. The subject matter of the present application is not currently under a secrecy order.

10. Applicant's Attorney first became aware of the proscribed nature of the applications referred to in paragraphs 2-5 on or about December 1, 2003. Specifically, Applicant's Attorney first became aware on or about December 1, 2003 that the invention of the present application and the applications referred to in paragraphs 2-5 was made in the United States.

11. As stated in the accompanying Affidavit of Dipl.-Phys. Dr. H.-H. Stoffregen, the applications referred to in paragraphs 2 and 3 were filed through error and without deceptive intent.

12. The applications referred to in paragraphs 4 and 5 were filed through error and without deceptive intent by Applicant's Attorney. At the time of filing the applications, Applicant's Attorney was not aware of the proscribed nature of the applications referred to in paragraphs 4 and 5. Specifically, at the time of filing the applications, Applicant's Attorney was not aware that the invention of the present application and the applications referred to in paragraphs 4 and 5 was made in the United States.

13. Based on paragraphs 1-12 herein and pursuant to 37 C.F.R. §§ 1.17(h) and 5.25(a)(4), Applicant provides a petition fee in the amount of \$130.00.

Accordingly, Applicant respectfully requests that a foreign filing license retroactive to April 30, 2003 be granted in the present application.

Applicant's Attorney does not believe that any additional extension of time or any additional fees are required for consideration of this paper, beyond those which may otherwise be provided for in accompanying documents. Should any additional extension of time or additional fees be required for timely consideration of this paper, however, Applicants' Attorney hereby petitions for same and requests that the extension fee and any other fee required for timely consideration be charged to **Deposit Account No. 06-1448, Reference STE-023.01**.

Further, Applicants' Attorney hereby authorizes the Commissioner to credit any overpayment to **Deposit Account Number 06-1448, Reference STE-023.01**.

Respectfully submitted,
FOLEY HOAG LLP

Date: 12/17/03

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